IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE.

WRIT PETITION NO. 2853 OF 2006

Subhash R.Doshi ... Petitioner.

versus

M/s.Shree Labh Co-op Bank Ltd. Respondents.

Shri Pankaj Kewli i/b. M/s. Thakore Jariwala & Associates for the petitioner.
Shri P.P.Kakade AGP for Respdts. 4,5,7 & 8.
Shri V.C. Ghosalkar for Respdt.2. Shri K.J.Hakani for Respdt. 3.

CORAM; V.G.PALSHIKAR &
V.M.KANADE, JJ.

DTAED: 11TH JULY, 2006.

P.C.

1. By this petition the petitioner has made the following prayers:

a) That this Hon'ble court be pleased to issue a writ of mandamus or in the nature of mandamus or any appropriate write, order and direction thereby appointing any special investigation team including officers and experts of and on the panel of the CBI and/or the Crime Investigation Department (CID) of the Police to investigate and inquire in the matter of fraud played upon and /or acts of illegalities/irregularties committed by the staff members of the respondent no.1 including the respondent no.3 including the complaints

already registered as FIR and to institute appropriate legal proceedings against those found responsible by re-file of FIR in view of the discrepancies pointed out by the petitioner addressed to various respondents and/or authorities.

b) That this Hon'ble court be pleased to issue a writ of certiorari or in the nature of certiorari or any other appropriate writ, order or direction calling for the papers and proceedings of the liquidation proceedings in respect of the respondent no.1 and the orders passed by the authorities from time to time, including the order of appointment of the respondent no.3 as liquidator or as recovery officer Reghuvancy Co-operative Bank passed by the respondent no.5 and after verification of relation maintained by each others by the respondent nos.2 , 5 and 3, thereof institute appropriate orders, direction in respect thereof including appropriate action, department or otherwise, against the officers of the respondents, those who were appointed so far as liquidators and/or Statutory audits carried out yearly by the agents of respondent no.5 u/s 81 of MCS Act6 1960 and/or yearly

inspection carried out by teh agent of respondent no.6 u/s 35 of Banking Regulation of 1949 in respect of the respondent no.1 and others, responsible for inaction delay and ignorance towards the illegalities/irregularites which are apparent and/or which w3ere pointed out by the petitioner including non reconcile of balance of differences and cash certificate accounts vide his letters addressed to the respondents.

c) That this Hon'ble court be pleased to pass all such orders or directions which may be necessary and/or required to be granted or passed in the facts and circumstances of this case.

d) For costs.

2. For each prayer, the petitioner has effective alternate remedies available under the Civil Procedure Code as also Criminal Procedure Code 1973. He can pursue all these remedies in appropriate forum and the petition for the relief of the kind prayed above, is not tenable. Hence reserving that right to take up such proceedings as prayed, if advised, this petition is disposed of.

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